

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

By means of the present amendment, the drawings and specification have been amended to correct certain informalities. In particular, the word "Watermarked" in box 130 of FIG 1 has been rewritten on one line, and the gap in the connection between boxes 260 and 290 has been eliminated in FIG 2. A replacement sheet including FIGs 1-2 is enclosed. Further, a marked-up version of the sheet including FIGs 1-2 is enclosed for convenience. Approval of the enclosed proposed drawing changes is respectfully requested.

In the Office Action, claims 1-5 and 10-16 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. 6,104,826 (Nakagawa). Further, claims 6-9 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. 5,825,892 (Braudaway). Applicant respectfully traverses these rejections, however, independent claims 1, 6, 10 and 15 have been amended, and claims 17-20 have been added for clarification. It is respectfully submitted that independent claims 1-20 are patentable over Nakagawa and Braudaway for at least the following reasons.

Nakagawa discloses a method of watermark embedding/extracting

into/from picture data. When identification information is watermark-embedded, then particular steps are performed that include calculating a weigh coefficient, referring to a watermark-embedding function, specifying an input value, and changing a pixel value. When the identification information is extracted from the picture data, then the value of watermark-embedding function is calculated for each weigh coefficient.

Braudaway discloses protecting images with an image watermark which includes a highly random sequence of pixel brightness multipliers known only by the marking entity. This is achieved by generating a watermarking plane having elements with one-to-one correspondence to the pixels of the image to be watermarked. Each watermarking plane element is assigned a random value dependent upon a random sequence and a specified brightness modulation strength. The generated watermarking plane is imparted onto the image by multiplying the brightness values of each pixel by its corresponding element value in the watermarking plane.

Nakagawa, Braudaway, or combination thereof, is completely silent and does not disclose or suggest a collection of substitute segments, where a substitute segment is communicated in response to a request for a requested segment when a select segment (of a

plurality of segments comprising the data set) is not within in a subset of segments to be rendered as recited in claims 1, 6, 10 and 15.

Further, there is no teaching or suggestion Nakagawa and Braudaway, alone or in combination, of communicating a substitute segment from the collection of substitute segments, when the requested segment is not included in the material selected from the content material of the data set, as recited in independent claim 17.

Similarly, Nakagawa, Braudaway, or combination thereof, does not teach or suggest communicating a substitute segment from the collection of substitute segments, when the requested watermark is not included in a portion of the content material available to the watermark security system, as recited in independent claim 19.

Accordingly, it is respectfully submitted that independent claims 1, 6, 10, 15, 17 and 19 be allowed. In addition, it is respectfully submitted that claims 2-5, 7-9, 11-14, 16, 18 and 20 should also be allowed at least based on their dependence from independent claims 1, 6, 10, 15, 17 and 19.


In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of

Allowance is earnestly solicited.

If any informalities remain, the Examiner is requested to telephone the undersigned in order to expedite allowance.

Please charge any fee deficiencies and credit any overpayments to Deposit Account No. 14-1270.

Respectfully submitted,


By   
Dicran Halajian, Reg. 39,703  
Attorney  
(914) 333-9607  
February 24, 2004

Enclosure: Replacement drawing sheets (2 sheets with FIGs 4-5)  
Marked-up drawing sheets  
(2 sheets showing changes to FIGs 4-5)

CERTIFICATE OF MAILING

It is hereby certified that this correspondence  
is being deposited with the United States Postal Service  
as first-class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

On February 24, 2004  
(Date of Mailing)  
By   
(Signature)